



## **Community Appearance Commission**

### **Minutes**

**October 5, 2005**

The regular meeting of the Salisbury Community Appearance Commission was called to order Wednesday, October 5, 2005 at 4 p.m. by Barbara Perry, Chair, in the Council Chamber, 217 South Main Street, Salisbury, North Carolina. The following members were present and absent:

**Present:** Cindee Bridges, Greta Connor, Judy Kandl, Barbara Lawther, Michael Lippard, Barbara Perry, Sara Robinson, Bill Safrit, and Johnny Safrit

**Absent:** Suzette Davis and Chad Morgan

**Staff:** Lynn Raker and Diana Moghrabi

Barbara Perry, Chair, called the meeting to order. The minutes of the September 7 meeting were approved. There was no change in the financial statement.

### **GUEST SPEAKERS**

The Commission requested certain members of the City of Salisbury staff to come today in order that they, the CAC, may better understand the process of zoning and code enforcement in our city. The staff members included David Phillips, Zoning Administrator; Jeff Benfield, Code Enforcement; Ron Paxton, Zoning and Code Enforcement Officer; and Mark Martin, Landscape Operations Manager.

David Phillips has the responsibility of interpreting the zoning code. His office is liaison to the Historic Preservation Commission and the Zoning Board of Adjustment. Development Services is a customer-oriented office—they deal with water taps, site plans, landscaping, parking, and signage. Most people start with their office to solve a variety of problems since the office is open from 9-5 and someone is usually available. Their office is located at 110 North Main Street.

Ron Paxton stated that it is part of his job to pick up signs that are displayed illegally, or he explains to the individual why a sign is not in compliance. He enforces setbacks, such as in the event of an addition to property. He gets involved with the parking of mobile homes or other motor vehicles that are too large to be in the front yard. He also gets involved when someone is operating a business out of their residence. When Mr. Paxton is in the office, he also issues zoning permits.

Jeff Benfield began his job in the year 2000; he works with nuisance abatement. He distributed some handouts that indicate that incidents have been increasing every year. (A copy of the handout is attached.) Incidents can include overgrown yards, indoor furniture outside, appliances outside, and illegal dumping. Chapter 13 (autos) averages one a day. Foreclosures present even more problems.

Mr. Benfield's position falls under Public Services; he does not have an assistant.

Mark Martin stated that there are 11 people in their Landscape Division. They are responsible for Hurley Park, street trees within the city, mowing right-of-ways, and mowing parks, (Like the Bell Tower & Robertson Eastern Gateway Park). They mow medians and they care for entrance signs and planters. Plant material, like that around City Hall, is their responsibility. Landscape Operations contracts with the Utilities Department to mow water treatment facilities and water towers. They also have a contract with NC DOT to maintain Jake Alexander Boulevard in regard to mowing and trash pickup. During the winter, they do snow removal. Mark also does some pesticide spraying around guardrails.

Mr. Martin is a certified arborist and is the arborist for the City of Salisbury. He works closely with Wendy Spry and the Historic Preservation Commission with trees in the local historic districts. He gets a lot of calls from the public about pruning of trees and sight distance problems.

Most citations issued from Mr. Phillips's office deal with signage. Jeff Benfield collected \$23,000 in citations this year. Mr. Benfield can write a citation and fine the individual, but he prefers not to. Today he had to have six lawns mowed; the minimum bill to mow is \$175. If the same yard has to be mowed twice in one year it costs the property owner \$675. He also has the right to place liens on property.

Each officer must cover 35 square miles, so they cannot catch everything. It takes about two and one-half weeks to cover the City of Salisbury.

Barbara Perry asked what recourse the City of Salisbury has if the individual does not comply with a civil citation. Mr. Phillips stated that there is a time frame for correction. If it is not corrected within that time frame a monetary citation is given. The order follows:

- Verbal Warning
- Written Warning
- \$50 citation
- \$100 citation
- \$100 a day until corrected

Greta Connor and the other members of the CAC let the speakers know how much they appreciate the work they do.

The Neighborhoods and Education Committee asked about improving the shabby appearance now looming over the entrance into Salisbury from Spencer. The street department is responsible

for the grass growing over the curbing. If it is the right-of-way in front of your home, Mr. Martin suggested that you have some responsibility to take care of that property. Mark Martin said they do not have the resources to curb cut, even though they have a curb cutter. They do spray in some instances. It is hard to regulate what people do in their yard. Communication can help.

Mr. Benfield did not have an answer about Kudzu; it is a problem on wooded and vacant lots. It can grow about three feet per day.

Judy Kandl asked for suggestions to help educate the general public in the matters discussed today. She recommended another listing in the telephone book to aid the public in reaching the enforcement officers.

Some of our city's current enforcement problems are a direct result of budget constraints that lead to a smaller number of staff. Even with the high cost of fuel, staff does ride the major arteries daily looking for existing problems. The historic neighborhoods have excellent "eyes" on their streets who report to the city any problems or violations they witness.

Barbara Lawther said that she is amazed that a city this size does not have more enforcement staff. Vacant housing, trash, debris, and cars parked on front lawns on North Main Street are a major concern of hers. There is a particular house on the corner of Church and 11<sup>th</sup> Streets in a terrible state of disrepair; often there is interior furniture outside of this home. There is plastic instead of glass on the side windows. There is also a property on the corner of Park Avenue and Long Street that needs to be addressed. What can be done about these properties?

David Phillips recommended contacting Jeff Youngblood, who sees to minimum housing (Fire Department), about that particular property. Mr. Youngblood would be a good guest speaker for the CAC. He has the authority to go to City Council and have City Council declare a structure a public nuisance.

Cindee Bridges would like to see Mr. Youngblood address the home on Caldwell Street that is a nuisance. She also mentioned that the service station on Main Street, across from the register of deeds, is an eyesore in the downtown area. There is plywood securing the windows. Apparently this is not a favorable site.

Barbara Perry asked Mr. Benfield to follow up with the outside storage behind Hometown Furniture. The neighborhood has been trying to get something done about this for a while. Sara Robinson added a complaint about the furniture that the Habitat for Humanity Store on Innes Street leaves on the street during the day.

Michael Lippard asked if there was something the CAC could do to back up the enforcement officers when the fines do not bring a homeowner or business into compliance. David Phillips said that the new Land Development Ordinance Code is proposing stiffer penalties.

## COMMITTEE REPORTS

### Art in Public Places

- *HAT (History and Art Trail)*. Friday, October 7, there is a meeting with the Selection Committee—those who will go through the Statements of Interest received from artists (nationally and internationally) for the art installation at the Eastern Gateway.
- The Gateway Art Installation Project Committee luncheon October 10 at Park Avenue Community Center.
- Barbara Perry thanked Mark Martin for repairing the Rebecca Fountain in time for this event and the October Tour/Lord Salisbury Festival.
- *Mosaic*. Robert Crum and Cherie Turner met with Lynn Raker to plan the dedication of the Mosaic on Depot Street. The date of the dedication is October 28 at 4 p.m. There will be a reception following the dedication at Robert Crum's studio. Invitations will be sent and the public is invited.

### Neighborhoods & Education Committee

Sara Robinson and Greta Connor met with the West End neighborhood. They have good, encouraging leadership, but it has not been easy for them to get cooperation from their residents. The neighborhood discussed the following concerns.

- Group homes
- Front-yard parking
- Boarded-up houses
- Rental housing
- General street maintenance (cleaning, overgrown grass, etc.)

Copies of the September 28 Neighborhoods and Education Committee meeting minutes were distributed to the CAC members.

**Next meeting:** The next Neighborhoods and Education Committee will be held October 26 at 4 p.m. At that time, the committee will set the agenda and plans for the November 17 Neighborhood Leaders meeting at One Water Street.

### Landscaping

- *Yard of the Month*. 701 North Fulton Street and 412 E. Horah Street were the recipients of the Landscape of the Month Award for October. Johnny Safrit told a lovely story about their pleasure in receiving the award. Johnny took 701 North Fulton Street a load of mulch. The committee nominated First Bank on Old Concord Road and Jake Alexander

Boulevard for November's commercial award. The residence at 315 Hogan's Way is nominated for November. The experience has been rewarding for this committee.

- Cindee asked a member of CAC to contact the Salisbury Post to announce the winners.
- The light post on the East Innes Street Railroad Bridge and the median trees will be decorated by the CAC. The Landscape Committee will meet Friday, November 18 at the Gateway Park at 10 a.m. to decorate the bridge. Lynn is working on having electrical receptacles on the bridge. The cost will be about \$2,200—there is no money available from the Planning Department budget.
- November 28 is the lighting of the Greenway (At Overton School). Members of the CAC are encouraged to attend from 5-6 p.m.
- Starting in the spring, recipients of the Landscape of the Month award will receive a gift certificate to Godley's.
- **Next Meeting** of the CAC Landscape Committee is Tuesday, October 25, at noon, in the first floor conference room at City Hall.

#### **Municipal Service District (MSD) and Innes Street Improvement Grants (ISG)**

All of the money could potentially be spent with the applications that have been submitted so far this year. Lynn reported that there had been discussions about the NSSA building project, OK Wigs and the Flowers Bakery conversion to artists' studios/lofts.

Being no further business the meeting adjourned.

DM